



UNITED STATES PATENT and TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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Paper No. 14

In re application of
Nigel Terrence Plummer
Serial No. 09/284,684
Filed: May 17, 1999
For: VITAMIN DELIVERY

DECISION ON
PETITION

This is a decision on the PETITION TO WITHDRAW HOLDING OF ABANDONMENT, filed December 9, 2002 for failure to respond to the office action dated January 14, 2000. Applicants assert that the Office Action was never received.

DECISION

Since petitioner asserts that the papers were never received, the request is accepted as a petition under 37 C.F.R. 1.181 (no fee). A review of the petitioner's evidence provided with the instant petition indicates that the request has merit.

A review of the record shows that sometime before the first Office Action was mailed, the address and attorney information was improperly changed. Therefore, the Office Actions were sent to the incorrect address. Hence, applicants' could have never received anything from the USPTO.

Therefore, the Abandonment dated August 28, 2000 is hereby withdrawn, and the case is returned to pending status. The case will be returned to the LIE for 1) **correction of the Attorney/Agent information, correction of the Foreign data information, and correction of the inventor information** (it is noted that the address has already been corrected), and 2) for remailing of the Office Action dated January 14, 2000 and restarting of the 3 month statutory period for response.

The Petition is **GRANTED**.

Jacqueline Stone, Director
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